

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

GALDERMA LABORATORIES, L.P.,
GALDERMA S.A.,
and
DERMALOGIX PARTNERS, INC.,

Plaintiffs,

V.

PERRIGO CO. and PERRIGO ISRAEL
PHARMACEUTICALS LTD.,

Defendants.

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Civil Action No. 3:09-cv-02322-M

**DEFENDANT PERRIGO ISRAEL’S OBJECTION TO THE MAGISTRATE JUDGE’S
DENIAL OF DEFENDANT PERRIGO ISRAEL’S
MOTION TO COMPEL PRODUCTION OF DOCUMENTS**

Pursuant to FED. R. CIV. P. 72(a) and this District's Local Civil Rule 72.1, Defendant Perrigo Israel ("Perrigo") respectfully objects to the Magistrate Judge's December 21, 2010 denial of Perrigo's motion to compel documents from Plaintiffs as clearly erroneous and/or contrary to law, and requests that this Court set aside the Magistrate Judge's ruling and grant Perrigo's motion.¹

In support of its objection, Perrigo relies upon its brief submitted in support, as well as the papers Perrigo previously submitted in support of its motion to compel (Dkt. ##39, 40, 41 and 44). Plaintiffs opposed Perrigo's motion to compel. (*See* Dkt. #43).

WHEREFORE, Defendant Perrigo respectfully requests that this Court: (a) set aside the Magistrate Judge's December 21, 2010 ruling; (b) grant Defendant Perrigo's Motion To Compel

¹ The Magistrate Judge's order is at Dkt. #45.

Production Of Documents Related To The *Paddock* Litigation; and (c) order Plaintiffs to produce all documents from the *Paddock* Litigation relating to the validity and/or enforceability of the '920 patent, regardless if filed under seal in the *Paddock* Litigation or designated as "confidential" by Paddock.

Dated: January 4, 2011

Respectfully submitted,

PERRIGO ISRAEL PHARMACEUTICALS, LTD.

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ATTORNEYS FOR DEFENDANTS PERRIGO COMPANY AND
PERRIGO ISRAEL PHARMACEUTICALS, LTD.

CERTIFICATE OF SERVICE

On January 4, 2011, true and correct copies of the foregoing document were served in compliance with Local Rule 5.1 and have been served on all counsel who have consented to electronic service and all other counsel by regular mail.

/s/ Jane Politz Brandt

Jane Politz Brandt